AMENDMENTS TO THE DRAWINGS:

Replacement drawings are submitted for Figures 1 and 4. In Figure 1, box 14, the spelling of "PORTION" is changed to the correct spelling. In Figure 4, in the topmost oval, the spelling of "START" is changed to the correct spelling.

REMARKS

The specification has been amended to make editorial changes including those noted in the Official Action to place the application in condition for allowance at the time of the next Official Action.

Replacement drawings are submitted for Figures 1 and 4. In Figure 1, in box 14, "PORTION" is amended to the correct spelling. In Figure 4, in the topmost oval, "START" is changed to the correct spelling. The above-noted changes are the only changes and are not believed new matter.

A substitute Abstract of the Disclosure is provided on an accompanying separate sheet changing the spelling of "patterns" to address the objection to the Abstract noted in the Official Action.

Claims 1-16 were previously pending in the application. Claims 1, 8, 9 and 16 are canceled and new claims 17-19 are added. Therefore, claims 2-7, 10-15 and 17-19 are presented for consideration.

Claims 1 and 9 are rejected as unpatentable over ZHENG et al. 6,611,522. This rejection is respectfully traversed.

Claims 2 and 10 are amended to include the subject matter of claims 1 and 9, respectively. Since ZHENG et al. was not applied against 2 and 10, the rejection over ZHENG et al. is believed moot.

Claims 1-16 were rejected as unpatentable over OKUDA et al. 5,892,762. This rejection is respectfully traversed.

Claim 2 is rewritten in independent form and is further amended to include the limitation that the packet header pattern is a bit stream that represents one of a network protocol, a transfer protocol and a destination address. Support for this new feature can be found on page 8, lines 16-25 of the application as filed.

As noted in the Official Action, column 7, lines 16-21 of OKUDA et al. discloses distinguishing between a prioritized cell and a non-prioritized cell and assigning values "0" and "1" to the prioritized cell and the non-prioritized cell, respectively. The Official Action indicates that such distinction between prioritized cells and non-prioritized cells meets the limitation of at least one packet header pattern. However, this conclusion is untenable for at least the following reason.

OKUDA et al.'s step of distinguishing between a non-prioritized cell and a prioritized cell using a CLP (Cell Loss Priority) bit of a header in each cell does not meet the limitation of memorizing at least one packet header pattern wherein the packet header pattern is a bit stream that represents one of a network protocol, a transfer protocol, and a destination address as recited in claim 2.

Rather, as disclosed on column 1, line 64 through column 2, line 8 of OKUDA et al., the distinguishing step in OKUDA et al. is based on non-prioritized cells being defined as the cells corresponding to the exceeding portion (the cell rate exceeds the MCR (Minimum Cell Rate)) as seen in Figure 1 of OKUDA et al. The cells other than non-prioritized cells are defined as prioritized cells. Accordingly, the system of OKUDA et al. is designed to monitor the cell rate. If the cell rate exceeds the MCR, the cells exceeding the MCR are defined as non-prioritized cells and the other cells are defined as prioritized cells.

As disclosed on column 8, line 63 through column 9, line 2 of OKUDA et al., the CLP bit from a header of the input cell determines a priority of the input cell and a tag identification unit 25 identifies the input cell as a prioritized cell if the CLP bit is "0" and as a non-prioritized cell if the CLP bit is "1". OKUDA et al. do not disclose or suggest that a packet header pattern is a bit stream that represents one of a network protocol, a transfer protocol and a destination address as recited. Accordingly, claim 2 and the claims which depend therefrom are believed patentable over OKUDA et al.

Method claim 10 also includes the limitation that the packet header pattern is a bit stream that represents one of a network protocol, a transfer protocol and a destination address. The analysis above regarding claim 2 is equally applicable to

claim 10. Claims 11-15 depend from claim 10 and further define the invention and are also believed patentable over OKUDA et al.

New claim 17 is similar to claim 2 and also includes a packet header pattern being a bit stream that represents one of a network protocol, a transfer protocol and a destination address. The analysis above regarding claim 2 is equally applicable to claim 17.

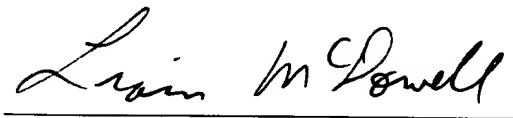
New claims 18 and 19 are directed to a look-up table containing plural ones of the packet header pattern. Support for new claims 18 and 19 can be found in Figure 2 and on column 8, lines 5-10. Claims 18 and 19 depend from claims 2 and 10, respectively, and further define the invention and are also believed patentable over the cited prior art.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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APPENDIX:

The Appendix includes the following items:

- replacement sheets for Figures 1 and 4
- amended Abstract of the Disclosure